




Interoffice Memorandum

DATE: October 26, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 
Planning, Environmental, and Development Services Department

SUBJECT: Adoption Public Hearing –Small-Scale Future Land Use Map Amendment
and Concurrent Planned Development Substantial Change
Concurrent with Development Order (DO-21-03-081) - Consent Item

Please find the attached staff report and associated back-up material for the **Small-Scale Future Land Use Map Amendment** (and concurrent PD substantial change) scheduled for a BCC adoption public hearing on October 26, 2021.

The adoption public hearing for Small-Scale Development Amendment SS-21-01-090 to change the Future Land Use of the subject property from Commercial to Planned Development – Commercial / High Density Residential – Student Housing was recommended for approval by the Planning and Zoning Commission (PZC) / Local Planning Agency (LPA) on January 21, 2021.

The request also involves a PD substantial change to the Quadrangle Planned Development / Development of Regional Impact (PD/DRI) which is located generally north of University Boulevard, east of Rouse Road, south of McCulloch Road, and west of N. Alafaya Trail. The existing PD development program allows for 315,822 square feet of commercial, 747 multifamily dwelling units, 2,400,333 square feet of office/showroom, 820 hotel rooms, and up to 2,631 beds of student housing.

Through this PD substantial change, the applicant is seeking to convert the land use on PD Tract 23A to "Commercial / Student Housing" to allow for up to 3,000 square feet of retail commercial uses and 950 student housing beds by converting 75,000 square feet of office entitlements. Additionally, eight waivers from Orange County Land Development Code are requested related to building height, offsite parking, density calculations, unit count, unit size, and masonry walls. On September 8, 2021 the Development Review Committee (DRC) recommended approval of the PD substantial change request, subject to conditions.

A virtual community meeting was held on February 16, 2021, with 18 residents in attendance. The general sentiment toward the proposed project was negative.

If the BCC adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for this amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, Manager, Planning Division, at 407-836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, Current Planning Section, at 407-836-5602 or Jason.Sorensen@ocfl.net.

AAV/JHS/jsh

Enc: Small-Scale Development Amendment BCC Adoption Binder

c: Christopher R. Testerman, AICP, Deputy County Administrator
Joel Prinsell, Deputy County Attorney
Whitney Evers, Assistant County Attorney
Roberta Alfonso, Assistant County Attorney
Jason Sorensen, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Eric P. Raasch, AICP, Planning Administrator, Planning Division

Small-Scale Amendment and PD Substantial Change Staff Report
Orange County Planning Division
PZC Hearing Date: January 21, 2021
DRC Meeting Date: September 8, 2021

CASE # SS-21-01-090

CDR-20-12-340

Commission District: #5

GENERAL INFORMATION

APPLICANT	Scott Stuart, Kelly, Collins & Gentry, Inc.
OWNERS	American Campus Communities Operating Partnership LP
HEARING TYPE	Small-Scale Future Land Use Map (FLUM) Amendment / Planned Development (PD) Substantial Change
PROJECT NAME	Palladium Student Housing / The Quadrangle Planned Development / Land Use Plan (PD/LUP)
FLUM REQUEST	C (Commercial) to PD - C/HDR - Student Housing (Planned Development - Commercial / High Density Residential)
PD REQUEST	<p>A PD substantial change to to convert the land use on Tract 23A to Commercial / Student Housing to allow for 950 beds and 3,000 square feet of commercial uses. In addition, the applicant has requested the following waivers from Orange County Code:</p> <ol style="list-style-type: none">1. A waiver from Orange County Code Section 38-1259(c) to allow a maximum of 950 bedrooms in lieu of a maximum of 750 bedrooms <i>Applicant Justification: revised to reflect 950 student housing beds consistent with the internal trade off (use) conversion matrix.</i>2. A waiver is from Orange County Code Section 38-1259(d) to allow no masonry wall in lieu of a six-foot masonry wall along right of way. <i>Applicant Justification: a perimeter wall would be out of character with the existing surrounding development within the quadrangle pd.</i>3. A waiver from Orange County Code Section 38-1259(k) to allow a maximum building height of 10 stories/135 feet in lieu of 3 stories/40 feet.

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Applicant Justification: height request is consistent with the hotel use immediately to the north, the hotel uses to the west, and the approved 10 story height for the mixed use / student housing project on tract 24a immediately to the east.

4. A waiver from Orange County Code Section 38-1259(j) to allow a density calculation of 4.261 bedrooms equals 1 multi-family unit in lieu of 4 bedrooms equals 1 multi-family unit.

Applicant Justification: consistent with future land use element policy 1.1.2.e(2), which allows alternative density calculations for redevelopment projects located within the area extending one mile east and one mile west of the Alafaya Trail corridor, between Mcculloch Road and State Road 408. The proposed project will include a mobility plan with available biking and pedestrian routes, car sharing area, shuttle services to UCF, and lynx bus stops adjacent to the property.

5. A waiver from Orange County Code Section 38-1477 to allow offsite parking to be provided within 1,300 feet from the principal entrance in lieu of 300 feet.

Applicant Justification: the offsite parking is located on tract 24A, which is located immediately to the north of tract 23A. The additional distance is necessary to account for the strict interpretation of code as measured from the "principal entrance" to the furthest available parking space.

The excess parking available on tract 24A and collaborative management of the two properties will allow for a seamless blended use of the parking for the two properties. As a mitigative measure, the developer is to construct an at-grade pedestrian crosswalk and attendant signage on turbine drive, at its sole cost and expense, if deemed necessary by the county. The offsite parking will allow for a compact urban form and compatibility with existing development. The unique location of these properties, which are effectively across the street from the UCF campus and at the location of shuttle services, furthers the county's goal of less reliance on individual cars and lessens the need for parking.

6. A waiver from Orange County Code Section 38-1254 to allow a 20 foot building setback from the right of way line of turbine drive and High Tech Avenue in lieu of 25 feet.

Applicant Justification: necessary to accommodate a site design in which the residential building will wrap around the structure parking and allow for a compact urban form, efficient use of land, and compatibility with existing development.

7. A waiver from Orange County Code Section 38-1254 to allow a 35 ft building setback from the right of way line of University Boulevard in lieu of 50 ft.

Applicant Justification: necessary to accommodate a site design in which the residential building will wrap around the structure parking and allow for a compact urban form, efficient use of land, and compatibility with existing development.

8. A waiver from Orange County Code Section 38-1501 to allow a minimum unit size of 250 sf in lieu of 500 sf.

Applicant Justification: necessary to accommodate a site design in which the residential building will wrap around the structure parking and allow for a compact urban form, efficient use of land, and compatibility with existing development.

LOCATION

12124 High Tech Ave; Generally located on the north side of University Blvd., east of Systems Way, west of Turbine Dr., south of High Tech Ave.

PARCEL ID NUMBER

03-22-31-7270-23-000 (PD Tract 23A)

TRACT SIZE

473.15 gross acres (overall PD)
4.46 gross acres (affected parcel only)

PUBLIC NOTIFICATION

The notification area for this public hearing was beyond 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Three hundred eighty (380) notices were mailed to those property owners in the mailing area.

COMMUNITY MEETING

A virtual community meeting was held on January 11th, 2021 and is summarized further in this report.

PROPOSED USE

Mixed-use student housing development with 950 beds and 3000 square feet of retail commercial.

STAFF RECOMMENDATION

Planning

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of requested PD - C / HDR -Student Housing (Planned Development - Commercial - High Density Residential) Future Land Use.

Development Review Committee – (September 8, 2021)

PD/LUP Change Determination Request

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Quadrangle Planned Development / Land Use Plan (PD/LUP), dated “Received September 10, 2021”, subject to conditions (listed under “Action Requested” further in this report).

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to change the Future Land Use Map designation for the subject property from Commercial to Planned Development - Commercial / High Density Residential (Student Housing) in order to construct a student housing project with a proposed 950 beds and 3,000 square feet of ground floor retail. Additionally, this parcel is “Tract 23A” in the Quadrangle Planned Development (PD) and currently allows for office uses. The PD substantial change request is to change the permitted uses from Office to Student Housing/Commercial and incorporate the proposed development program of 950 student housing beds and 3,000 square feet of commercial into the PD. Additionally, the applicant has requested eight (8) waivers to address an increase in number of beds, off-site parking, building setback reductions, building height increase, minimum unit size decrease, density calculation increase, and elimination of the required wall along the right-of-way.

The subject property is developed with an existing office building the north side of University Boulevard, east of Systems Way, west of Turbine Drive, south of High Tech Avenue. The subject site is adjacent to an existing mixed-use student housing development “the Plaza”, which is located at the corner of Alafaya Trail and University Boulevard.

Existing FLUM Development Program

The property's existing FLUM designation of Commercial is consistent with the current approved Quadrangle PD and could allow for up to 294,030 square feet of commercial uses, however, the current development program per the Quadrangle PD is for 75,000 square feet of office uses.

Proposed FLUM Development Program

The proposed PD – C/HDR (Student Housing) Future Land Use Map designation with the submitted PD substantial change to the Quadrangle PD would allow the applicant to construct a student housing project with up to 950 beds, and 3,000 square feet of commercial uses.

Land Use Compatibility

The HDR-Student Housing Future Land Use would allow for development that is compatible with the character of the surrounding area, and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Office (O) which allows for a maximum FAR of 1.25. The existing PD zoning district and development program is consistent with both the existing and proposed FLUM designation. Through this FLUM amendment, applicant is seeking to change the FLUM designation to High Density Residential – Student Housing (HDR). Additionally, the request is consistent with the following CP provisions:

FLU1.1.2(F) states that student housing may be permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development. A planned development zoning classification shall be required for all student housing projects.

FLU1.1.2(F)(1) states that Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of

County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, and/or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.

FLU1.1.5 states that the County shall encourage mixed-use development, infill development and transit oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

FLU1.4.1 states that Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

FLU8.1.5 states that the location of Planned Development (PDs) within the Urban Service Area that have been approved as of the date of adoption of the 1991 CPP shall be considered consistent with the Comprehensive Plan and included as part of the adopted Orange County Future Land Use Map (FLUM).

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use Undeveloped

Adjacent	FLUM	Zoning
North	Commercial (CI)	PD (The Quadrangle PD) (1984)
South	Medium Density Residential (MDR)	PD (The Quadrangle PD) (1984)
East	Commercial (C)	PD (The Quadrangle PD) (1984)
West	Commercial (C) Office (O)	PD (The Quadrangle PD) (1984)

Adjacent Land Uses

N: Hotel
 E: Student housing, Commercial
 W: Retail commercial
 S: Retail Commercial

APPLICABLE PD DEVELOPMENT STANDARDS

PD Perimeter Setback: 25 feet
 Maximum Building Height: 10 stories (135 feet) *Waiver requested from 3 stories (40 feet)
 Minimum Living Area: 250 Square Feet *Waiver from 500 SF requested

 Minimum Building Setbacks:
 From University Blvd: 35 feet *waiver requested from 50 feet
 From High Tech Avenue: 20 feet *waiver requested from 25 feet
 From Turbine Drive: 10 feet
 From West property line: 10 feet

 Minimum Open Space: 25%

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See comments below table

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Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A formal school capacity determination is not required for student housing projects. If this project converts to market rate housing, a formal school capacity determination will be required prior to the conversion proceeding to DRC.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Neighborhoods	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sheriff's Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Fire Rescue	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Transportation Comments:

The subject property is not within the AMA nor a backlogged or constrained roadway. However, it is located along a designated multi-modal corridor. University Boulevard, from Semoran Boulevard to Alafaya Trail, is designated as a multi-modal corridor per Orange County Transportation Element Policy T2.2.9. The policy supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, high-visibility pavement markings and refuge islands for pedestrians, multiuse paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to the site design standards in Policy T2.2.4, as determined by a transportation impact study.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in a decrease in the number of pm peak trips and therefore will not impact the area roadways.

The short term (Year 2025) as well as the long term (Year 2040) analysis under the proposed FLU designation showed that the following roadway segments are projected to operate at an adverse level of service due to background traffic:

- University Blvd from Dean Road to Alafaya Trail.
- Alafaya Trail from University Blvd to Science Drive
- University Blvd. is a constrained 6-Lane facility. However, the County is planning an east-west reliever known as Richard Crotty Parkway.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be

noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

Community Meeting Summary

A community meeting was held on January 11, 2021 for the associated FLUM amendment (SS-21-01-090) general sentiment for the proposal was negative siting concerns about on-street parking, setting precedent for more student housing within the Quadrangle PD, traffic, preference for office development, pedestrian safety, and a general preference for student housing to be on-campus or east of the UCF campus.

Additionally, staff has received five (5) commentaries citing similar concerns.

Utilities

Water:	Orange County
Wastewater:	Orange County
Reclaim Water:	Orange County

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (January 21, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested PD - C / HDR -Student Housing (Planned Development - Commercial - High Density Residential) Future Land Use.

Development Review Committee (DRC) Recommendation – (September 8, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Quadrangle Planned Development / Land Use Plan (PD/LUP), dated "Received September 10, 2021", subject to the following conditions:

1. Development shall conform to The Quadrangle PD Land Use Plan dated "Received September 10, 2021," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received September 10, 2021," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this

condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. The required road right-of-way and or/easements shall be conveyed to the County via separate instrument prior to Construction Plan Approval.

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7. This property is located within the UCF Pedestrian Safety project limits. There is an overall requirement for an 8' wide sidewalk. Sidewalk easements and /or row shall be provided to ensure that the minimum of 8' can be achieved prior to Development Plan approval.
8. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PD.
9. In order to qualify as student housing, all units must comply at all times with the definition of student housing in Section 38-1, Orange County Code, as such definition exists as of the date of approval of this development plan. Failure to comply with such definition may subject the project to code enforcement and/or increased impact fees, as well as any applicable concurrency requirements.
10. Prior to development plan approval, a shared parking agreement shall be recorded on the applicable property, to run with the land, for all off-site parking.
11. The following waivers from Orange County Code are granted for Tract 23A only:
 - a. A waiver from Orange County Code Section 38-1259(c) to allow a maximum of 950 bedrooms in lieu of a maximum of 750 bedrooms.
 - b. A waiver from Orange County Code Section 38-1259(d) to allow no masonry wall in lieu of a six-foot masonry wall along right of way.
 - c. A waiver from Orange County Code Section 38-1259(k) to allow a maximum building height of 10 stories / 135-feet in lieu of 3 stories / 40-feet.
 - d. A waiver from Orange County Code Section 38-1259(j) to allow a density calculation of 4.261 bedrooms equals 1 multi-family unit in lieu of 4 bedrooms equals 1 multi-family unit.
 - e. A waiver from Orange County Code Section 38-1477 to allow offsite parking to be provided within 1,300 feet from the principal entrance in lieu of 300 feet.
 - f. A waiver from Orange County Code Section 38-1254 to allow a 20-foot building setback from the right of way line of Turbine Drive and High Tech Avenue in lieu of 25-feet.
 - g. A waiver from Orange County Code Section 38-1254 to allow a 35-foot building setback from the right of way line of University Boulevard in lieu of 50-feet; and

in lieu of the prior centerline setback requirement of 114-feet and the current 70-foot setback from the centerline for a building or structure.

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14. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 26, 2013 shall apply:
 - a. Car rental is approved as an ancillary use within PD Tract 22 only, including 14 parking spaces to be used exclusively for rental cars.
15. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 3, 2009, shall apply:
 - a. As specifically applicable to Tracts 16 & 18, all acreages regarding conservation areas and buffers are considered approximate until finalized by Conservation Area Determination and Conservation Area Impact Permits. Approval of this plan does not permit any proposed conservation impacts.
16. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 4, 2005, shall apply:
 - a. As applicable to the entire PD:
 - 1) Prior to construction plan approval, certification with supporting calculations shall be submitted, which states that this project is consistent with approved master utility and stormwater plans for this Planned Development.
 - 2) This project shall comply with Lighting Ordinance 2003-08.
 - 3) This project shall comply with the Commercial Design Standards Ordinance.
 - 4) The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances.
 - 5) This project shall comply with the drainage requirements of the Orange County Subdivision Regulations.
 - b. As specifically applicable to Tract 11:
 - 1) A Developer's Agreement for right-of-way shall be required with the approval of the rezoning.
 - 2) Prior to issuance of a building permit, the property shall be re-platted.

- 3) There shall be no direct access to Rouse Road.
- 4) Commercial restaurants shall not have outdoor speakers or music.
- 5) The following Student Housing waivers are granted and are consistent with previous Board approvals for student housing:
 - i. A waiver is granted from Section 38-1476 to allow parking spaces for student housing at a ratio of 1.0 spaces per unit in lieu of 1.25 spaces per bedroom.
 - ii. A waiver is granted from Section 38-1259(d) to eliminate the requirement of a six-foot masonry wall along University Boulevard.
 - iii. A waiver is granted from Section 38-1259(d) to eliminate the requirement of a six-foot masonry wall along Alafaya Trail.
 - iv. A waiver is granted from Section 38-1259(h) to allow a maximum building height of 10 stories/120 feet in lieu of 3 stories/40 feet.
 - v. A waiver is granted from Section 38-1253 to eliminate the requirement of providing recreational facilities at the rate of 2.5 acres per 1,000 population.
 - vi. A waiver is granted from Section 38-1259(c) to allow 2,063 bedrooms in lieu of the maximum 750 permitted.
 - vii. A waiver is granted from Section 38-1259(g) to allow for one unit to equal 3.427 bedrooms instead of 2 bedrooms. This is based upon an ITE rate provided by Orange County.
- 6) Because the location of Tract 24 merits an intense development style due to the proximity of the UCF campus, the following waivers are granted from the suburban standards of the Land Development Code:
 - i. A waiver is granted from Section 38-1254 to allow parcels within Tract 24 to have a 0 foot building setback in lieu of 10 foot building setback between internal parcels.
 - ii. A waiver is granted from Section 38-1254 to allow a 25 foot setback from the right-of-way line of University Blvd in lieu of 60 foot from the centerline for parking structures.

- iii. A waiver is granted from Section 38-1258(d) to allow a maximum building height of 10 stories/120 feet in lieu of 3 stories/40 feet for the student housing and multi-family (senior housing).
 - iv. A waiver is granted from 38-1258(j) to eliminate the spatial separation of buildings.
- 7) The following multi-family waivers are granted:
- i. A waiver is granted from Section 38-1501 to allow a minimum unit size of 250 square feet in lieu of 500 square feet to allow for dorm-style units.
 - ii. A waiver is requested from Section 38-1258(h) to eliminate the requirement of providing recreation areas at the rate of 2.5 acres per 1,000 residents. One acre shall be provided for the multi-family development.
- 8) A waiver is granted from Section 38-1476 to allow commercial parking at a ratio of 3 spaces per 1,000 square feet in lieu of 5 spaces per 1,000 square feet.
- 9) Senior Housing will be segregated from student housing in a separate structure and the buildings will not touch.
- 10) No permanent school-aged children that will impact the Orange County Public School system shall be generated as a result of student housing and/or senior housing on Tract 24. Any proposal to add permanent school-aged children on Tract 24 will be deemed a substantial change and shall require BCC approval, and will be subject to school concurrency.
17. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 4, 2005, shall apply:
- a. Commercial restaurants shall not have outdoor speakers or music.
18. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated June 24, 1997, shall apply:
- a. Prior to approval of any development plan for multi-family uses in Tracts 5 and 7 a neighborhood meeting shall be held. The adjacent property owners shall be notified of the Development Review Committee meeting to consider such uses.

Under the Orange County Code, the decision of the DRC may be appealed to the Board of County Commissioners.

19. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 10, 1994, shall apply:
 - a. Prior to submittal of any Development Plan, revised drainage calculations shall be submitted for approval verifying that the hydraulics of the Master Drainage system will not be impacted by the requested changes.
 - b. Those residential and nonresidential uses along the PD boundary of Parcels 4-B, 5, 7, and 12 shall be limited to 35 feet in height within 100 feet of the PD boundary.
 - c. Setbacks from McCulloch Road shall be 35 feet from the right-of-way line for Parcels 4-A and 4-Bi and 40 feet from the right-of-way line for Parcel 1 per the PD regulations.
20. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated July 10, 1989, shall apply:
 - a. On-site water or wastewater facilities shall be prohibited.
 - b. The following uses shall be prohibited:
 - 1) Battery manufacturing and storage;
 - 2) The manufacturing of boats, building products, garments or textiles, pharmaceuticals and shoes/goods;
 - 3) Hospitals;
 - 4) Portable signs and billboards; and
 - 5) Warehousing (storage of materials may be allowed, provided sufficient performance standards are submitted by the applicant and approved by the Planning and Zoning Directors).
 - c. Freestanding commercial uses shall be limited to Parcels 25 (pursuant to PD conditions of approval with respect to Parcel 25), #17 and #17A.

- d. The developer shall be responsible for constructing the following road improvements which are required prior to the initiation of the development phase:

Phase 4A (First Phase of Substantial Deviation)

Four(4) lanes of Alafaya Trail from State Road 50 to the Seminole County line MUST be in place before the project can go forward. The Developer will have the specific responsibility to fund and construct the missing section from University Boulevard north to the Orange/Seminole County line, subject to an impact fee credit assessment, in accordance with the then existing regulations.

Phase 4B

Four(4) lanes of Rouse Road from Corporate Boulevard to State Road 50 MUST be in place prior to the initiation of Phase 4B and the Developer must advance the greater of its pro rata share of the cost of such improvement or the transportation impact fees anticipated.

Phase 4C

An alternative improvement to provide a capacity equivalent of an additional two through-lanes on University Boulevard from Rouse Road to Dean Road (i.e., the equivalent mitigation which would have been accomplished had University Boulevard been eight lanes).

A Developer's Agreement will be executed in conjunction with the approval of the Development Order that addresses the following issues:

- 1) Transportation impact fee credits;
- 2) Right of applicant to submit a traffic study that proves a specific improvement is not needed;
- 3) Waiving of any of the roadway improvement requirements if a governmental entity or another developer constructs the facility; and
- 4) Ability to cease development activity until needed improvements are in place.

- e. The following mass transit conditions shall apply:

- 1) Bicycle lanes, bicycle lockers, transit passenger shelters and transit parking bays should be constructed where necessary to augment and facilitate the operation of off-site transit and bicycle facilities. Furthermore, the applicant shall make known to tenants that the Orlando area has an existing ride-sharing program operated by the Tri-County Transit Authority and the City of Orlando, and the applicant shall encourage the use of said facility. The applicant shall also designate at least one (1) employee to coordinate a ride-share program in conjunction with the Tri-County Transit. In addition, the applicant shall encourage the individual building owners or tenants to allow promoters of a ride-sharing program to have access to employees for the purposes of promoting ride-sharing programs. The level of participation shall be included in the annual monitoring report in two ways:
 - i. A list of companies which allow access to employees to promote ride-sharing, and a list of companies which prohibit such access, along with the reasons for the prohibition,
 - ii. An estimate of the level of participation in the program measured in percentage reduction of single-occupant vehicles.
- f. The applicant shall conduct a feasibility study to assess the viability of a shuttle system to serve the Quadrangle and the immediate vicinity. This study may be in conjunction with the University of Central Florida, the Central Florida Research Park, or other interested parties. If a shuttle system is implemented, the applicant shall make a fair share contribution toward its implementation and operation.
- g. The applicant shall dedicate up to one hundred thousand (100,000) square feet of land to the Tri-county Transit Authority (at a mutually acceptable location) for a transfer or circulation facility as needed by the Transit Authority. The dedication shall be coupled with an appropriate reverted if such a facility is not constructed and used by the Transit Authority within five (5) years from the date of donation.
- h. The applicant shall include in the covenants and restrictions applicable to the Quadrangle a requirement whereunder tenants shall be encouraged to stagger work hours so as to mitigate peak hour traffic impacts.
- i. The applicant shall reserve a location for a day care center within the project. The applicant shall take the lead in establishing a Transportation Management Association ("TMA), inviting participation by the major landowners in the area, including but not limited to Westinghouse, the University of Central Florida, the Research Park and the Tri-County Transit Authority.

21. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 15, 1988, shall apply:
- a. Amend existing Quadrangle Development Order to provide:
 - 1) Subject to the conditions described in Paragraph b., the 9.2 acres, as approved under proposed amended P-D, are added to the existing Quadrangle DRI.
 - 2) Development impacts for total amended Quadrangle DRI (including added 9.2 acre parcel) shall not exceed development impacts previously approved and vested pursuant to prior development order.
 - 3) Made a finding that because of the impact limitations imposed pursuant to Paragraph b. above, the addition of 9.2 acres is a "Non-substantial Deviation" to existing DRI Development Order.
 - 4) As development permits are processed for the 9.2 acre parcel, the developer (subject to County review and approval) will reduce development intensity on the balance of the Quadrangle P-D/DRI so as to assure compliance with sub-paragraph b. above.
 - b. Development shall be in accordance with the Conditions of Approval, as established for the currently applicable approved Quadrangle DRI.
 - c. Any commercial-type uses permitted are intended to serve the employees on-site. There shall be no free standing commercial structures, and the commercial use shall not exceed ten percent (10%) of the total square footage and no more than twenty percent (20%) of anyone structure being created.
 - d. Landscaping along University Boulevard shall be compatible with the Orange County Commission's landscape design for the roadway.
 - e. A 50-foot landscape buffer shall be provided along any adjacent residentially zoned district. A plan identifying specific language materials shall be submitted for the affected area
22. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 17, 1986, shall apply:

Approval, subject to development per:

1. The Development Order of November 5, 1984.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (July 13, 2021)

Upon a motion by Commissioner Bonilla, seconded by Commissioner Siplin, and carried by all members present, the Commission made a finding of consistency with the Comprehensive Plan; further, adopted Amendment SS-21-01-091 from Office (O) to High Density Residential – Student Housing (HDR – Student Housing) Future Land Use; further, adopt the associated Small-Scale Ordinance 2021-30; further, approve the Quadrangle Planned Development / Land Use Plan, converting 83,000 SF of Office to 750 student housing beds, subject to the twenty (20) conditions of approval listed under the Development Review Committee Recommendation in the Staff Report dated July 13, 2021; further, approve new condition of approval #8; and further, approve and execute the Amendment to Development Order for the Quadrangle Development of Regional Impact to convert parcel 5B from office to student housing to the Quadrangle PD.

**PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS
(January 21, 2021)**

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Planned Development – Commercial/High Density Residential – Student Housing (PD – C/HDR – Student Housing) Future Land Use Designation.

Staff indicated that three hundred eighty (380) notices were mailed to those property owners in the mailing area extending beyond 800 feet surrounding the property, and that staff has received seven (7) mailed commentaries in opposition of the request. One (1) resident was present to speak at the public hearing in opposition to the request.

After discussion addressing the proposed use of the property, compatibility with the surrounding area, and the applicant's presentation, a motion was made on the Future Land Use Map Amendment (SS-21-01-090) by Commissioner Spears, and seconded by Commissioner Abdallah to recommend **ADOPTION** of the requested HDR (High Density Residential – Student Housing) Future Land Use designation. The motion carried on a 6-0 vote.

Motion / Second	<i>Gordon Spears / Trevor Sorbo</i>
Voting in Favor	<i>Gordon Spears, Sean McQuade, Trevor Sorbo, Eddie Fernandez, Mohammed Abdallah, and Jaja Wade</i>
Voting in Opposition	<i>None</i>
Absent	<i>Nelson Pena, Evelyn Cardenas, Carlos Nazario</i>

Small-Scale Amendment # SS-21-01-090
PD Substantial Change # CDR-20-12-340
Orange County Planning Division
PZC Hearing Date: January 21, 2021
DRC Meeting Date: September 8, 2021

SS-21-01-090

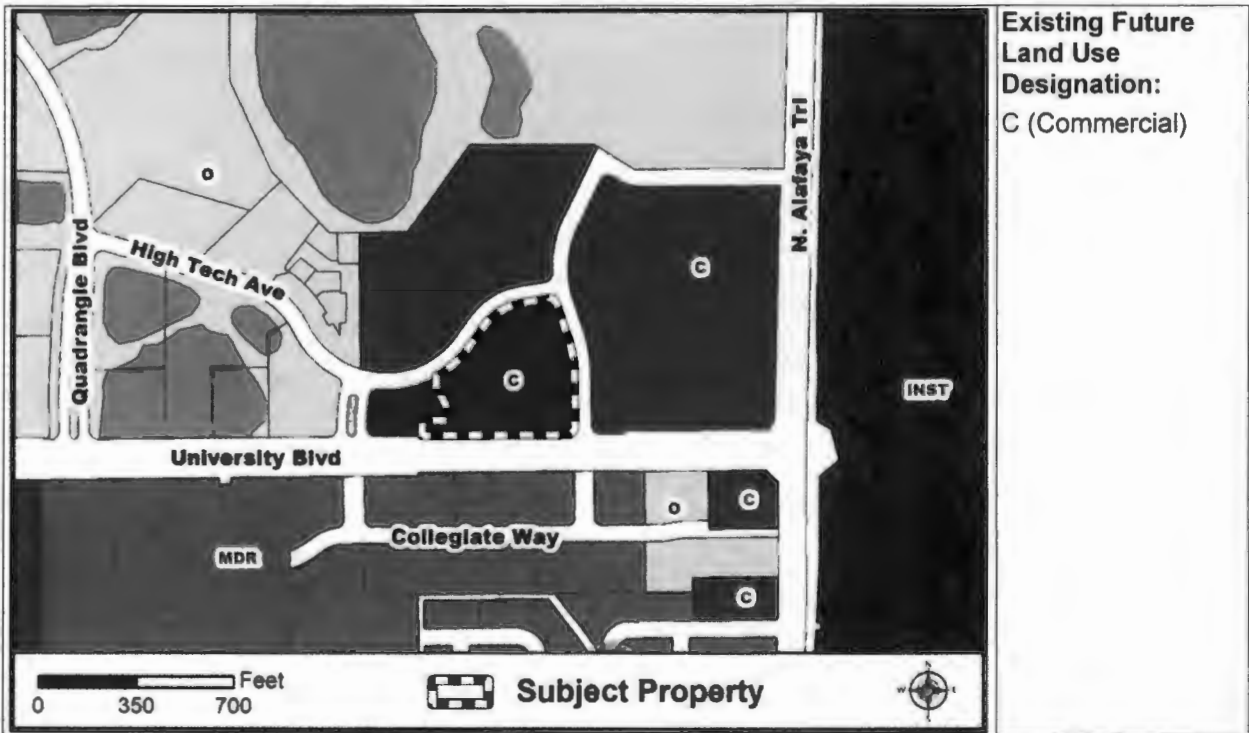


 Subject Property

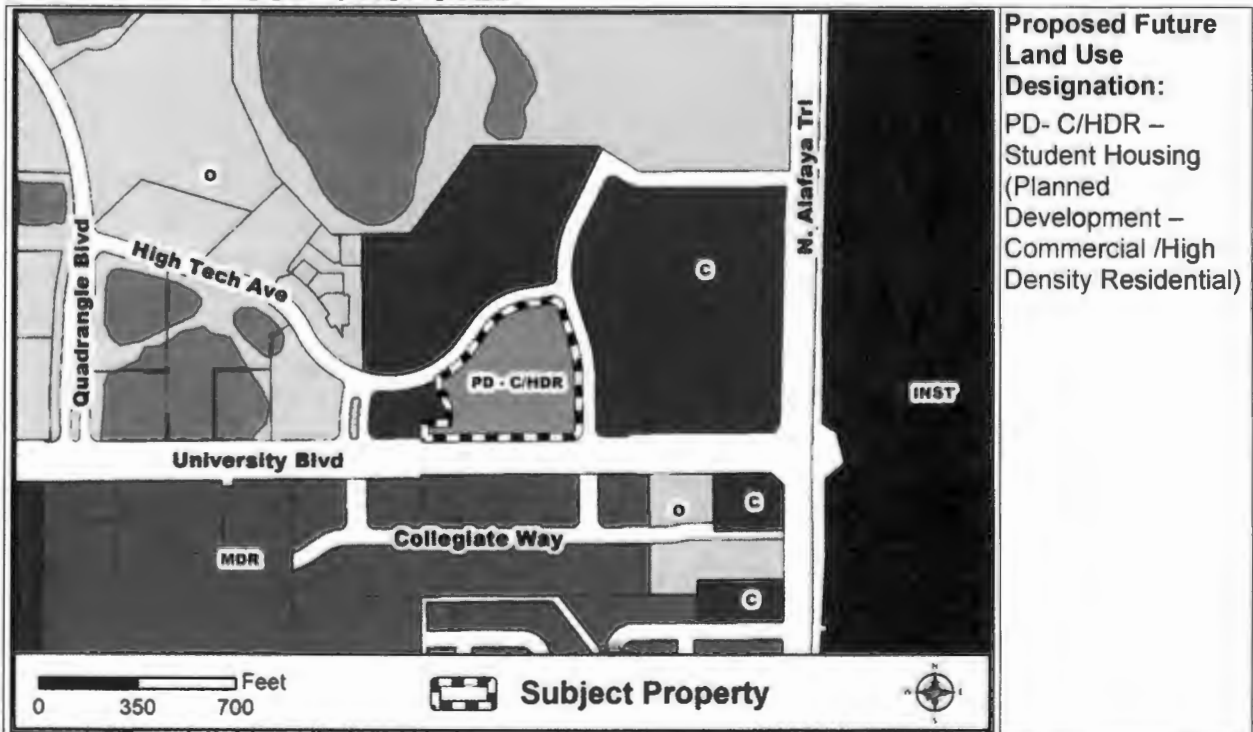


1 inch = 500 feet

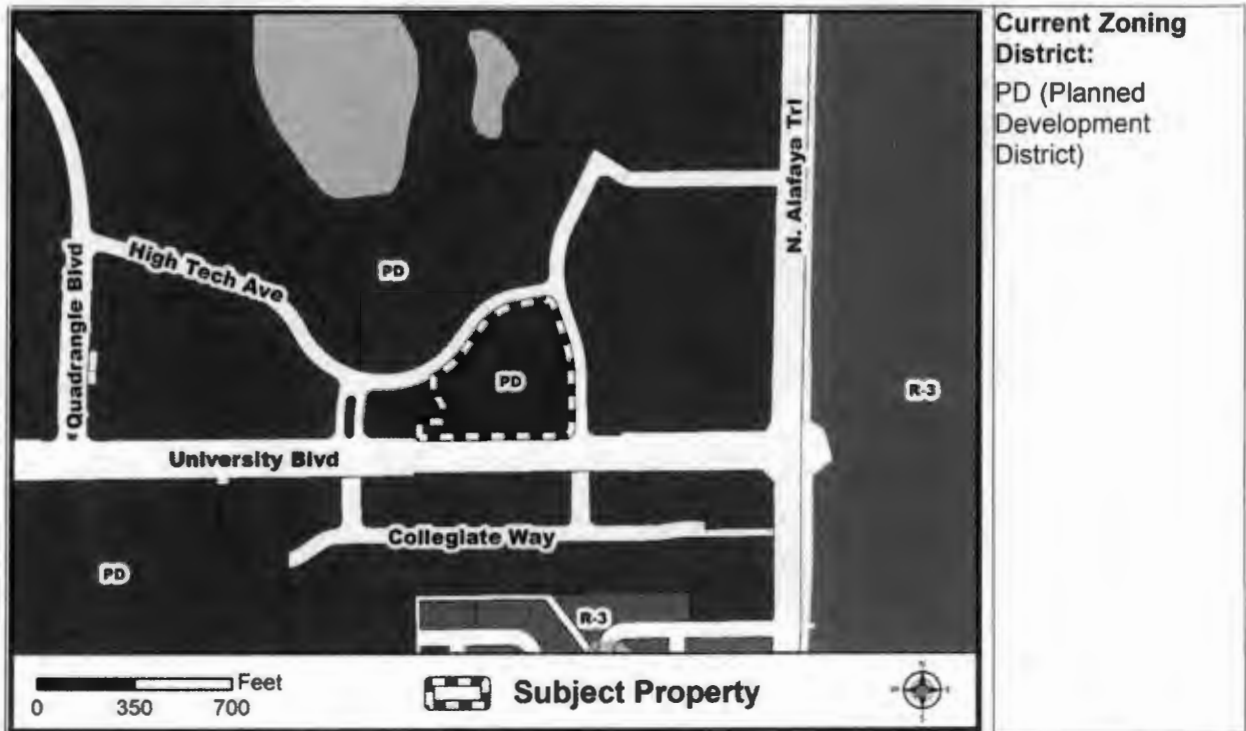
FUTURE LAND USE – CURRENT



FUTURE LAND USE - PROPOSED



ZONING - CURRENT



CHANGE DETERMINATION

AFFECTED PARCELS:
TRACT 23A PARCEL ID
65-22-51-7278-25-000

LEGAL DESCRIPTION

A PORTION OF TRACT 23A, THE QUADRANGLE PD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 15-16 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

REQUEST

THIS CHANGE DETERMINATION PROPOSES NO ENTITLEMENT INCREASES. TRACT 23A IS CURRENTLY IMPROVED WITH 75,000 SF OF OFFICE USE. THIS CHANGE WILL CONVERT THE OFFICE TO STUDENT HOUSING UNITS. WITH THE ADDITIONAL UNITS AVAILABLE WITHIN THE QUADRANGLE PD, TRACT 23A PROPOSES A MAXIMUM TOTAL OF 950 STUDENT HOUSING BEDS WITH A MAXIMUM TOTAL OF 3,000 SF OF COMMERCIAL USE.

THIS CHANGE DETERMINATION IS APPROVED BY THE PLANNING DIVISION OF ORANGE COUNTY, FLORIDA.

QUADRANGLE PD

LAND USE PLAN CHANGE DETERMINATION REQUEST

ORANGE COUNTY, FLORIDA

CDR-20-12-340

NWC UNIVERSITY BLVD.
& ALAFAYA TRAIL
ORANGE COUNTY, FL

PREPARED FOR:

AMERICAN CAMPUS COMMUNITIES OPERATING PARTNERSHIP LP

12700 BELLA COUNTRY BLVD., SUITE 7-800
AUSTIN, TEXAS 78728
PH : (512) 788-1000

PREPARED BY:

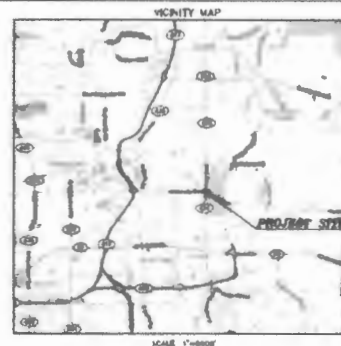
KCG KELLY,
COLLINS &
GENTRY, INC.
ENGINEERING • PLANNING

1700 NORTH ORANGE AVENUE
SUITE 400
ORLANDO, FLORIDA 32604
PHONE (407) 866-7858
FAX (407) 866-1458

RECEIVED

By DDC Approved Stamp at 4:00 pm, Sep 18, 2021

SECTION 03 & 04, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA



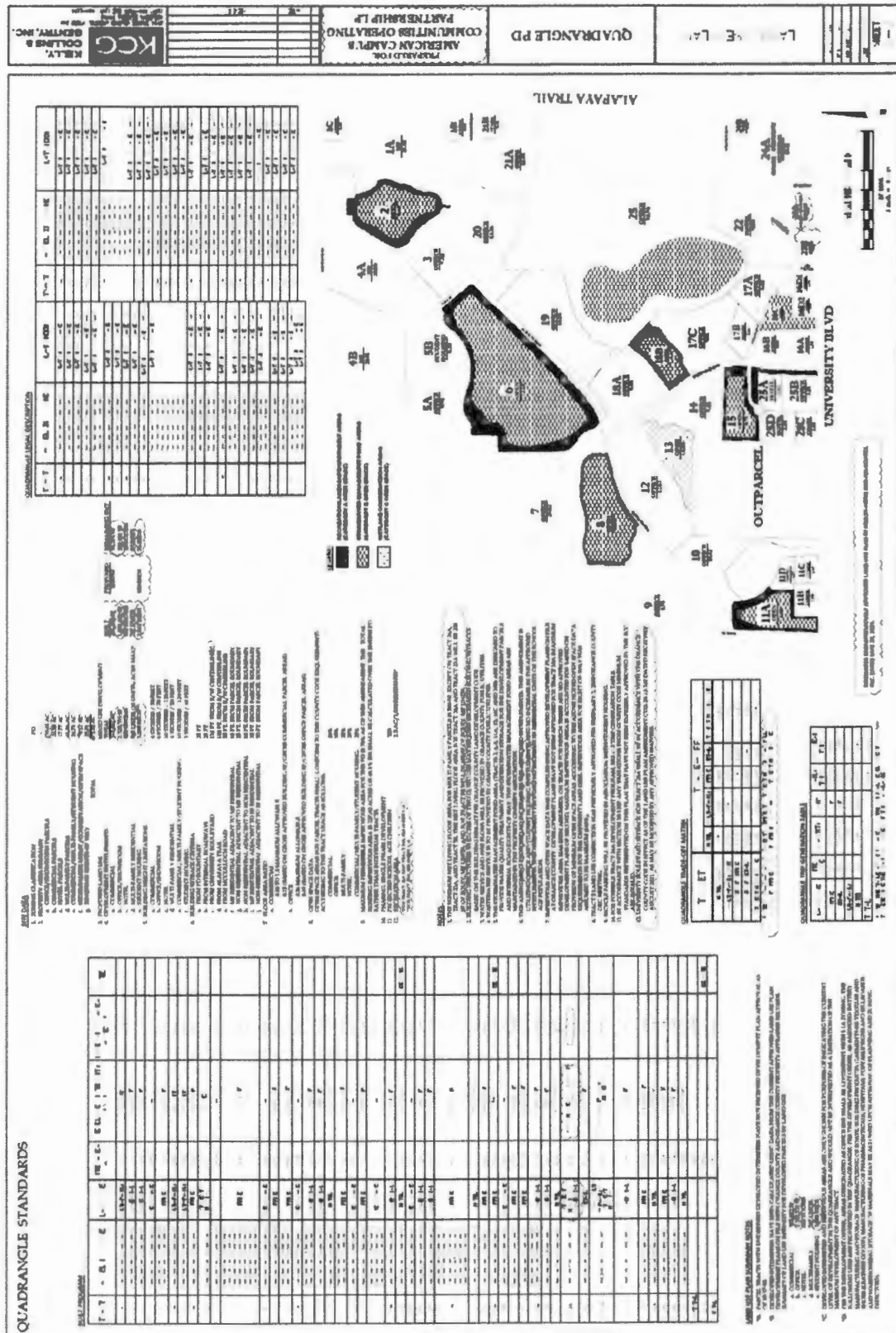
REVISION TABLE

REVISION NO.	REVISION
01	COVER SHEET
02	LAND USE PLAN (UNIMPROVED)
03	LAND USE PLAN (TRACTS 23A & 23B)
04	LAND USE PLAN (TRACTS 23A & 23B)
05	LAND USE PLAN (TRACT 23B)

SHEET
C-1

Land Use Plan Cover Sheet (Quadrangle PD)

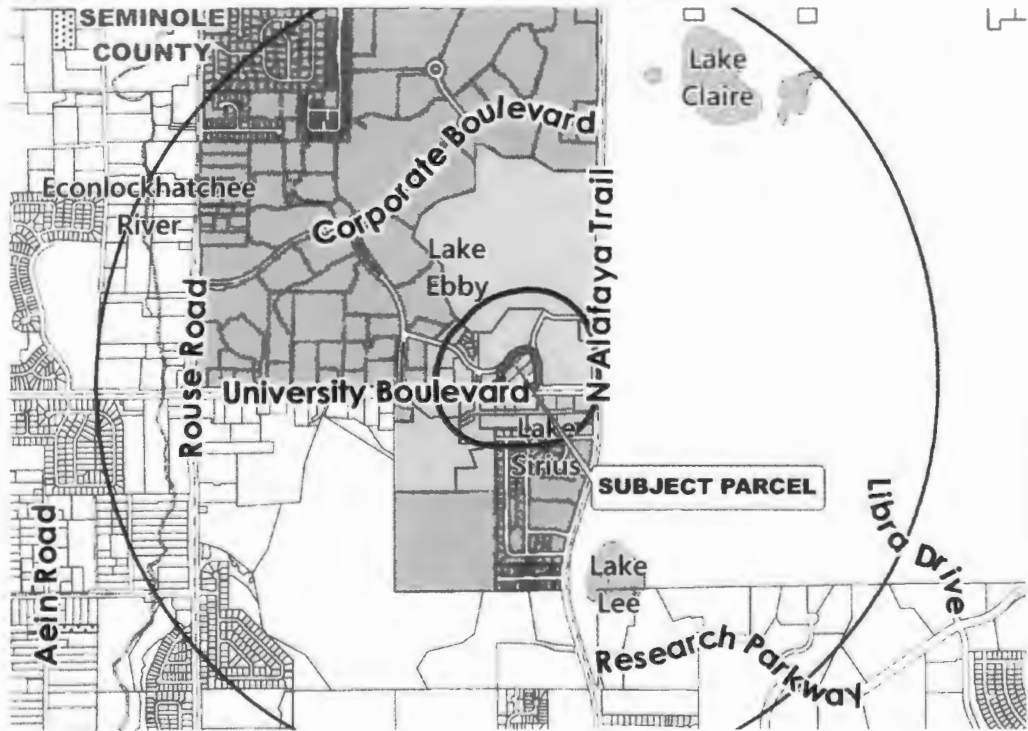
Small-Scale Amendment # SS-21-01-090
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Public Notification Map

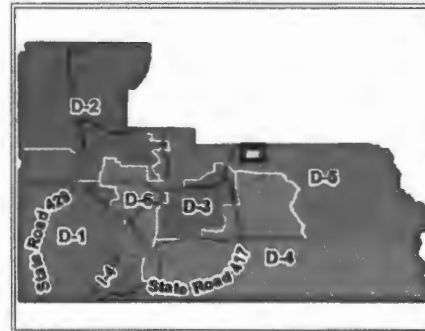
SS-21-01-090



MAP LEGEND

- SUBJECT
- 800 FT BUFFER
- 1 MILE BUFFER
- PARCELS
- NOTIFIED PARCELS
- COURTESY PARCELS
- HYDROLOGY

BUFFER DISTANCE: 800
OF NOTICES: 380
RESIDENTIAL ADDRESSES: 17



ss-21-01-090-000-10-11-2021-1112021222_210101090.mxd

Notification Map

Small-Scale Amendment # SS-21-01-090
PD Substantial Change # CDR-20-12-340
Orange County Planning Division
PZC Hearing Date: January 21, 2021
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